

railroad paid contributions under section 8(a) of the Railroad Unemployment Insurance Act in an amount equal to the amount of unemployment and sickness benefits paid to its employees, plus an additional amount for administrative expenses. The Board promulgated Part 344 as a temporary rule (see 54 FR 25846, June 20, 1989) to explain how it would apply the special transition rule. Effective with calendar year 1991, public commuter railroads have been paying experience-rated contributions on the same basis as other railroad employers. Thus, Part 344 is obsolete.

The Board has determined that this is not a major rule for purposes of Executive Order 12866. Therefore, no regulatory impact analysis is required.

List of Subchapter in 20 CFR Part 344

Railroad employees, Railroad employers, Railroad unemployment benefits.

For the reasons set out in the preamble, part 344 of title 20, chapter II of the Code of Federal Regulations is amended as follows:

PART 344—[REMOVED AND RESERVED]

1. The authority citation for this part continues to read as follows:

Authority: 45 U.S.C. 362(i) and 362(l).

2. Part 344, consisting of §§ 344.1 through 344.6, is hereby removed and reserved.

Dated: April 26, 1995.

By Authority of the Board.

For the Board.

Beatrice Ezerski,

Secretary to the Board.

[FR Doc. 95-11007 Filed 5-3-95; 8:45 am]

BILLING CODE 7905-01-M

20 CFR Part 217

RIN 3220-AB08

Application for Annuity or Lump Sum

AGENCY: Railroad Retirement Board.

ACTION: Final rule.

SUMMARY: The Railroad Retirement Board (Board) amends its regulations to enable the Board to pay the following benefits without requiring additional applications therefor: (1) An accrued annuity due at the death of a spouse or former spouse to a railroad employee receiving an annuity based on the same earnings record; and (2) a full-time student's annuity if the student was entitled to a child's annuity in the

month before the month the child attained age 18.

EFFECTIVE DATE: May 4, 1995.

ADDRESSES: Secretary to the Board, Railroad Retirement Board, 844 Rush Street, Chicago, Illinois 60611.

FOR FURTHER INFORMATION CONTACT: Michael C. Litt, Bureau of Law, Railroad Retirement Board, 844 Rush Street, Chicago, Illinois 60611, (312) 751-4929, TDD (312) 751-4701.

SUPPLEMENTARY INFORMATION: Section 217.8 of the Board's regulations specifies a list of benefits paid by the Board which may be paid based on a previously-filed application (*i.e.*, where a new application is not required). The rule adds to that list the cases where an accrued annuity is due at the death of a spouse or former spouse to a railroad employee receiving an annuity based on the same earnings record as the spouse or former spouse and where a full-time student's annuity is payable if the student was entitled to a child's annuity in the month before the month the child attained age 18. In those cases there is no additional information contained in the applications and there is no utility to the Board in requiring additional applications. Using the earlier application reduces paperwork and the burden on persons claiming benefits.

On February 9, 1995, the Board publishes this rule as a proposed rule (60 FR 7728), inviting comments on or before March 13, 1995. No comments were received.

The Board, in conjunction with the Office of Management and Budget, has determined that this is not a significant regulatory action for purposes of Executive Order 12866. Therefore, no regulatory impact analysis is required. There are no information collections associated with this rule.

List of Subjects in 20 CFR Part 217

Railroad employees, Railroad retirement.

For the reasons set out in the preamble, title 20, chapter II, part 217 of the Code of Federal Regulations is amended as follows:

PART 217—APPLICATION FOR ANNUITY OR LUMP SUM

1. The authority citation for part 217 continues to read as follows:

Authority: 45 U.S.C. 231d and 45 U.S.C. 231f.

2. Section 217.8 is amended by adding paragraphs (t) and (u) to read as follows:

§ 217.8 When one application satisfies the filing requirement for other benefits.

* * * * *

(t) An accrued annuity due at the death of a spouse or divorced spouse if the claimant is entitled to an employee annuity on the same claim number.

(u) A full-time student's annuity if the student was entitled to a child's annuity in the month before the month the child attained age 18.

Dated: April 26, 1995.

By Authority of the Board.

For the Board,

Beatrice Ezerski,

Secretary to the Board.

[FR Doc. 95-11008 Filed 5-3-95; 8:45 am]

BILLING CODE 7905-01-M

DEPARTMENT OF TRANSPORTATION

Coast Guard

33 CFR Part 100

[CGD 05-95-015]

RIN 2115-AE46

Special Local Regulations for Marine Events; the Great Chesapeake Bay Swim Event, Chesapeake Bay, MD

AGENCY: Coast Guard, DOT.

ACTION: Notice of implementation.

SUMMARY: This document implements 33 CFR 100.507 for the Great Chesapeake Bay Swim Event to be held on June 11, 1995. These special local regulations are needed to provide for the safety of participants and spectators on the navigable waters during this event. The effect will be to restrict general navigation in the regulated area for the safety of participants in the swim, and their attending personnel.

EFFECTIVE DATE: The regulations in 33 CFR 100.507 are effective from 6:30 a.m. until 1 p.m., on June 11, 1995.

FOR FURTHER INFORMATION CONTACT: Stephen L. Phillips, Chief, Boating Affairs Branch, Fifth Coast Guard District, 431 Crawford Street, Portsmouth, Virginia 23704-5004 (804) 398-6204, or Commander, Coast Guard Group Baltimore (410) 576-8516.

SUPPLEMENTARY INFORMATION: The drafters of this notice are QM2 Gregory C. Garrison, project officer, Boating Affairs Branch, Boating Safety Division, Fifth Coast Guard District, and LCDR C.A. Abel, project attorney, Fifth Coast Guard District Legal Staff.

Discussion: Mr. Charles Nabit, a representative of the March of Dimes, submitted an application to hold the Great Chesapeake Bay Swim Event on June 11, 1995. Approximately 600 swimmers will start from Sandy Point State Park and swim between the

William P. Lane Jr. Memorial Twin Bridges to the Eastern Shore. This is the type of event contemplated by these regulations and the safety of the participants depends upon control of vessel traffic, therefore the regulations in 33 CFR 100.507 are implemented and effective from 6:30 a.m. until 1 p.m., on June 11, 1995. During the swim itself, all vessel traffic will have to be stopped. However, vessel traffic will be permitted to transit the regulated area as the swim progresses. As a result, commercial traffic should not be severely disrupted.

Dated: April 14, 1995.

W.J. Ecker,

*Rear Admiral, U.S. Coast Guard, Commander,
Fifth Coast Guard District.*

[FR Doc. 95-10923 Filed 5-3-95; 8:45 am]

BILLING CODE 4910-14-M

33 CFR Part 110

[CGD09-93-033]

Special Anchorage Area, Lake Superior, La Pointe Harbor, Madeline Island, WI; Correction

AGENCY: Coast Guard, DOT.

ACTION: Correction to final rule.

SUMMARY: This document contains corrections to the final rule (CGD09-93-033), which was published Wednesday, March 22, 1995 (60 FR 15052). The regulation established a Special Anchorage Area on Lake Superior, La Pointe Harbor, Madeline Island, Wisconsin.

EFFECTIVE DATE: May 4, 1995.

FOR FURTHER INFORMATION CONTACT: Marine Science Technician Second Class Jeffrey M. Yunker, Ninth Coast Guard District, Aids to Navigation and Waterways Management Branch, Room 2083, 1240 East Ninth Street, Cleveland, Ohio 44199-2060, (216) 522-3990.

SUPPLEMENTARY INFORMATION:

Drafting Information

The drafters of this notice are Lieutenant Junior Grade Byron D. Willeford, Project Officer, Ninth Coast Guard District, Aids to Navigation and Waterways Management Branch, and Lieutenant Karen E. Lloyd, Project Attorney, Ninth Coast Guard District Legal Office.

Background

The final rule that is the subject of these corrections, established a Special Anchorage Area on Lake Superior, La Pointe Harbor, Madeline Island, Wisconsin.

Need for Correction

As published, the final rule contained errors which incorrectly state the coordinates of the Special Anchorage Area. This may cause a mariner to anchor his or her vessel in an inappropriate area and must therefore be corrected.

Correction of Publication

Accordingly, the publication on March 22, 1995, of the final rule [CGD09-93-033] which was the subject of FR Doc. 95-6955, is corrected as follows:

§ 110.775 [Corrected]

1. The coordinates in § 110.77b, on page 15053 in the first column should be corrected to read as follows:

Latitude	Longitude
46°46'21.5" N	090°46'59" W, to
46°46'36" N	090°47'13" W, to
46°46'41" N	090°47'13" W, thence
along the natural shoreline and structures to:	
46°46'21.5" N	090°46'59" W.

Dated: April 18, 1995.

Rudy K. Peschel,

*Rear Admiral, U.S. Coast Guard, Commander,
Ninth Coast Guard District.*

[FR Doc. 95-10924 Filed 5-3-95; 8:45 am]

BILLING CODE 4910-14-M

LIBRARY OF CONGRESS

Copyright Office

37 CFR Part 202

[Docket No. 95-4]

Modification of Appeal Procedure

AGENCY: Library of Congress, Copyright Office.

ACTION: Notice of policy decision.

SUMMARY: The Copyright Office of the Library of Congress issues this Policy Decision modifying the appeal procedure regarding refusals to register a copyright claim. Currently, this procedure is specified in Compendium II of Copyright Office Practices and an applicant whose claim is rejected is entitled to two reconsiderations, each handled within the Examining Division. The modified procedure establishes an interim system with a Board of Appeals to reconsider the second appeal that is the final agency action.

EFFECTIVE DATE: June 5, 1995.

FOR FURTHER INFORMATION CONTACT:

Marilyn J. Kretsinger, Acting General Counsel, Copyright GC/I&R, P.O. Box 70400, Southwest Station, Washington, D.C. 20024. Telephone: (202) 707-8380. Telefax: (202) 707-8366.

SUPPLEMENTARY INFORMATION:

I. Background

One of the most significant responsibilities assigned the Copyright Office by Title 17 of the U.S. Code is the registration of copyright claims. Currently, the Copyright Office registers slightly more than 600,000 copyright claims annually, and refuses to register a small percentage of these.

Subsections 410(a) and (b) of the copyright law determine the parameters of the registration system:

(a) When, after examination, the Register of Copyrights determines that, in accordance with the provisions of this title, the material deposited constitutes copyrightable subject matter and that the other legal and formal requirements of this title have been met, the Register shall register the claim and issue to the applicant a certificate of registration under the seal of the Copyright Office. The certificate shall contain the information given in the application, together with the number and effective date of the registration.

(b) In any case in which the Register of Copyrights determines that, in accordance with the provisions of this title, the material deposited does not constitute copyrightable subject matter or that the claim is invalid for any other reason, the Register shall refuse registration and shall notify the applicant in writing of the reasons for such refusal.

In administering these provisions, the Copyright Office usually accepts as true the facts given by the applicant.¹ The decision to register or not rests on a determination of whether a prima facie valid copyright claim has been submitted under the provisions of the Copyright Act.

An applicant may appeal a refusal to register using the appeal procedure specified in the Compendium of Copyright Office Practices. Under this practice, an applicant whose claim has been denied registration is entitled to two reconsideration, each handled within the Examining Division. Specifically, the procedure provides:

Refusal to register: request for reexamination. When the Copyright Office has refused a claim as submitted, it notifies the applicant in writing of the refusal to register. After such notification, the applicant may set forth in writing his or her objections to the refusal and request that the Office reconsider its action. If the claim is refused

¹ Section 108.05 of Compendium II of Copyright Office Practices provides: "Factual determinations. In connection with its examining and related activities, the Copyright Office does not ordinarily make findings of fact with respect to publication or any other thing done outside the Copyright Office." This practice is qualified by section 108.05(b) providing: "Administrative notice. The Copyright Office may take notice of matters of general knowledge. It may use such knowledge as the basis for questioning applications that appear to contain or be based upon inaccurate or erroneous information."